

Amendment No. 1 to HB1832

Coleman
Signature of Sponsor

AMEND Senate Bill No. 523*

House Bill No. 1832

by deleting subdivisions (a)(2) and (a)(3) of Section 24-1-2__ of the amendatory language of SECTION 1 and substituting instead the following:

(2) "Critical incident stress management team member or team leader," referred to also as "team member," or "team leader" means an individual specially trained to provide crisis response services as a member or leader of an organized community or local crisis response team that holds membership in registered critical incident stress management team;

(3) "Crisis intervention" means a session at which crisis response services are rendered by a critical incident stress management team member or leader during or after a crisis or disaster;

FURTHER AMEND by deleting subsection (c) and (d) of Section 24-1-2__ of the amendatory language of SECTION 1 and substituting instead the following

(c) Except as provided under subsection (d), no person, whether critical incident stress management team member, team leader or group participant providing or participating in a crisis intervention shall be required to testify or divulge any information obtained solely through such crisis intervention.

(d) The testimonial privilege established under subsection (c) shall not apply if any of the following are true:

(1) The communication indicates the existence of a danger to the individual who receives crisis response services or to any other person or persons;

(2) The communication indicates the existence of past or child abuse or neglect of the individual, abuse of an adult as defined in title 71, chapter 6, or family violence as defined in title 71, chapter 6, part 2;

(3) The communication indicates the existence of past or present acts constituting an intentional tort or crime, provided the applicable statute of limitation has not expired on the act indicated; or

(4) All parties involved in the crisis intervention, including the individual or individuals who received crisis response services, expressly waive the privilege and consent to the testimony.